

PETITION FOR ZONING RE-CLASSIFICATION  
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law

of Baltimore County, from an D.R. 5.5 zone to an D.R. 16 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for N/A

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Variance from 15u.2-2-A to permit 20 parking spaces in lieu of the required 50

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: David Clark & Associates, Inc. (Type or Print Name)  
Signature: [Signature]  
Address: 800 S. Broadway  
City and State: Baltimore, Maryland 21201

Legal Owner(s): Baltimore County, Maryland (Type or Print Name)  
Signature: [Signature]  
Address: [Address]  
City and State: [City and State]

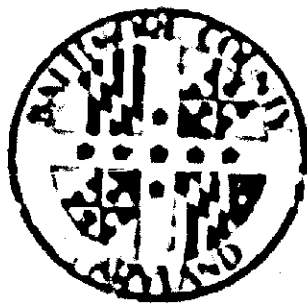
Attorney for Petitioner: James Wright (Type or Print Name)  
Signature: [Signature]  
Address: Mercantile Bank & Trust Building  
City and State: Baltimore, Maryland 21201

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Donald D. Smith, AIA, President  
Name: Lapicki/Smith Associates, P.A.  
Address: 617 Park Avenue  
City and State: Baltimore, Maryland 21201

Attorney's Telephone No.: 752-6780

BARC-Form 1

BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 12, 1982

James Wright, Esquire  
Venble, Baetjer and Howard  
Mercantile Bank and Trust Building  
Hopkins Plaza  
Baltimore, Maryland 21201

RE: Item No. 69  
Petitioner - Baltimore County, Maryland  
Reclassification and Variance Petitions

Dear Mr. Wright:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the southwest corner of Chestnut and Pine Streets in the 12th Election District, the subject property, currently zoned D.R. 5.5 is improved with a brick building, formerly used as an elementary school. Surrounding properties to the north and east are improved with rowhouses, while individual dwellings exist to the south. To the west are rowhouses and an individual dwelling.

As indicated in a number of conversations with Mr. Don Smith, the layout of the proposed development is subject to the applicable requirements of the recently enacted Bill #124-81. Prior to the setting of a hearing date, we tried to resolve any problems that might arise in the future. However, it should be noted that all requirements of said Bill will have to be satisfied before building permits will be issued if this request is granted.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the hearing members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file.

Very truly yours,

[Signature]  
NICHOLAS B. COMODARI, Chairman  
Zoning Plans Advisory Committee

Enclosures  
cc: Lapicki/Smith Associates, 617 Park Avenue, Baltimore, Md. 21201



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

November 13, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #69 (1981-1982)  
Property Owner: Baltimore County, Maryland  
(Donald P. Hutchinson)  
S/W corner Chestnut St. and Pine St.  
Acres: 1.954 District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lots 150 through 163, and 177 through 190, Plat of Turner, recorded W.P.C. 7, Folio 36. There is a 10-foot reservation, as indicated, shown on this recorded plat.

Highways:

Fillet areas for sight distance are required at the intersections of Chestnut Street and Oak Street with Pine Street.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drains, have not been indicated on the submitted plan.

Item #69 (1981-1982)  
Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)  
Page 2  
November 13, 1981

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This entire site is below elevation 10 (Baltimore County Datum).

Water and Sanitary Sewer:

There is an 8-inch public water main in Chestnut Street and public 6-inch water mains in Oak and Pine Streets. There is public 8-inch sanitary sewerage in all three of these streets.

Very truly yours,

[Signature]  
ROBERT A. MCKON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

F-SE Key Sheet  
20 SE 20 Pos. Sheet  
SE 5 E Topo  
110 Tax Map

December 22, 1981

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 69, Zoning Advisory Committee Meeting, October 6, 1981, are as follows:

Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)  
Location: SW/Corner Chestnut Street and Pine Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Reclassification to D.R. 16

Variance to permit density to be calculated to the centerline of the perimeter streets in lieu of "acreage within a subdivision tract", to permit a 16' horizontal separation between buildings more than 20' but less than 25' high in lieu of the required 25', to permit 6% of the site to be devoted to local open space tracts in lieu of 15%, to require 1.3 parking spaces per density unit in lieu of the 1.53.

Acres: 1.954  
District: 12th

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 69 - ZAC - October 6, 1981  
Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)  
Location: SW/Corner Chestnut Street and Pine Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Reclassification to D.R. 16  
Variances to permit density to be calculated to the centerline of the perimeter streets in lieu of "acreage within a subdivision tract", to permit a 16' horizontal separation between buildings more than 20' but less than 25' high in lieu of the required 25', to permit 6% of the site to be devoted to local open space tracts in lieu of 15%, to require 1.3 parking spaces per density unit in lieu of the 1.53.

Dear Mr. Hammond:

The existing D.R. 5.5 zoning can be expected to generate approximately 100 trips per day and the proposed D.R. 16 zoning with variances can be expected to generate approximately 290 trips per day. The proposed variance to parking can be expected to cause parking problems in the area.

[Signature]  
Michael S. Rigney  
Traffic Engineering Associate II

MSF/r1j



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

October 15, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 69, Zoning Advisory Committee Meeting of October 6, 1981, are as follows:

Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)  
Location: SW/Corner Chestnut Street and Pine Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Reclassification to D.R. 16  
Variances to permit density to be calculated to the centerline of the perimeter streets in lieu of "acreage within a subdivision tract", to permit a 16' horizontal separation between buildings more than 20' but less than 25' high in lieu of the required 25', to permit 6% of the site to be devoted to local open space tracts in lieu of 15%, to require 1.3 parking spaces per density unit in lieu of the 1.53.

Acres: 1.954  
District: 12th

Metropolitan water and sewer exist.

Prior to approval of a building permit to renovate the existing school building, a complete survey of the heating system must be conducted to ascertain the presence of any asbestos containing materials and proper methods of handling and disposal. Contact Robert Sheesley, R.S., at 494-3768, prior to conducting the asbestos survey for further information.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

[Signature]  
Ian J. Forrest  
Director  
BUREAU OF ENVIRONMENTAL SERVICES

BMS/mgt



PAUL H. REINCKE  
CHIEF

October 9, 1981

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)

Location: SW/Corner Chestnut Street and Pine Street

Item No.: 69 Zoning Agenda: Meeting of October 6, 1981.

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 500 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Noted and Approved: George M. Leonard*  
Planning Division Fire Prevention Bureau  
Special Inspection Division

JK /mb /cm

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 197, Legislative Day No. 26

RESOLUTION NO. 104-80

Mr. Lauenstein, Councilman

By the County Council, December 15, 1980

A RESOLUTION to authorize the County to dispose of the Turner's Station Elementary School property by negotiated sale.

WHEREAS, the Board of Education of Baltimore County has transferred to Baltimore County, Maryland the Turners Station Elementary School property; and

WHEREAS, the County Executive has recommended that said property be disposed of as it is not needed for public use; and

WHEREAS, Section 2-1(c) of the Baltimore County Code, 1978, as amended authorizes the County to dispose of property acquired from the Board of Education in the manner provided by resolution of the County Council upon recommendation of the County Executive.

NOW THEREFORE, BE IT RESOLVED BY THE County Council of Baltimore County, Maryland that the County be and is hereby authorized to dispose of the former Turner's Station Elementary School by the method of negotiated sale with the Turners Station Development Corporation and David Clark and Associates, joint venture, for the purpose of renovating and constructing an apartment house. The disposition price of the property will be based on the approved value as determined by the Bureau of Land Acquisition.

Del Exhibit #3

TED ZALESKI JR.  
DIRECTOR

November 13, 1981

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #69 Zoning Advisory Committee Meeting, October 6, 1981 are as follows:

Property Owner: Baltimore County, Maryland (Donald P. Hutchinson)  
Location: S/W Corner Chestnut Street and Pine Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Reclassification to D.R. 16

Variances to permit density to be calculated to the centerline of the perimeter streets in lieu of "acreage within a subdivision tract" to permit a 16' horizontal separation between buildings more than 20' but less than 25' high in lieu of the required 25' to permit 5% of the site to be devoted to local open space tracts in lieu of 10% to require 1.2 parking spaces per density unit in lieu of the 1.55. The time checked before are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

X B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application for proposed construction.

E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 9" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

X G. For Existing Building or structures: A change of occupancy shall be applied for. Along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.

I. Comments -

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burman*  
Charles E. Burman, Chief  
Plans Review

CEB:rrj

RE: PETITION FOR RECLASSIFICATION  
from D.R. 5.5 to D.R. 16 zone, and  
PETITION FOR VARIANCE  
from Sec. 1802 2A of the Baltimore  
County Zoning Regulations  
SW corner Chestnut St. and Pine St.  
12th District  
BALTIMORE COUNTY, MARYLAND  
(Donald P. Hutchinson, County Executive)  
Petitioner

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. R-82-162-A

OPINION

This case comes directly to the Board as a Petition for Reclassification coupled with a Petition for a Variance by the Petitioner, Baltimore County. The property is the old Turner Station Elementary School, which the County requests to be upgraded in the density from the present DP 5.5 to DR 16. The Board declined to hear the request for variance at this time, in that the reclassification request must be coupled to a precise plot which was not available in this "open" use petition. In regard to the reclassification, the County argued that the County Council, in adopting the 1980 maps, committed the error of oversight in failing to adopt the higher level density which the County claims would make a proposed Section 8 housing project feasible. The contract purchaser and developer, David Clark Associates, who together with a community development corporation, propose to use the property for low cost housing for the Turner Station Community.

Mr. Dunbar Brooks, Chairman of the Turner Station Development Corporation, testified for the Petitioner, that the community had voted on Nov. 11, 1980, to support the subject subsidized housing project. He believed the County Council was in error, when on Oct. 8, 1980, it failed to anticipate the approval by the community and the subsequent approval by the Federal Government of the application submitted by the developer to construct the housing project which necessitated upgrading the property to DR 16. Mr. Larry Walsh, Inter-Governmental Coordinator for Baltimore County, testified that he had determined prior to the summer of 1980, that the Turner Station Elementary School site was an attractive project for Section 8 housing, but as he testified, he failed to notify the County Council or the Planning Department of the need to upgrade the property to DR 16 through oversight. Mr. Walsh testified that the negotiations with the Federal

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 5, 1981

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: October 6, 1981

RE: Item No: 67, 68, 69  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

*Nick Petrovich*  
Mr. Nick Petrovich, Assistant  
Department of Planning

Baltimore County, Md.  
R-82-162-A

Government and the application for funds were not completed until Nov. of 1980, but felt that had he notified the Council of the need for an upgrade in zoning, that this would have been granted on the 1980 maps. In support of this position, the County entered into evidence, Petitioner's Exhibit #2, which is a letter dated Dec. 2, 1980, and signed by John O'Rourke, County Councilman who represents the Turner Station area and who strongly approved the project during the A-95 Federal Review Process. This document indicated that the Councilman had been working on this project for the past 3 years but obviously had failed to realize that to make it a viable project, the zoning had to be upgraded. In further support of his contention, the County introduced Resolution 104-80, passed by the County Council Dec. 15, 1980, which permitted the Turner Station Elementary School to be disposed of by a negotiated sale and specifically appointed the Turner Station Development Corporation and this developer as the parties to carry out the project. The Board notes that this resolution specifically directed that the project was for "for the purpose of renovating and constructing an apartment house". (emphasis supplied) Resolution 104-80 clearly expresses the entire Council's approval of the plan as an "apartment house". Obviously in the Council's mind, they believed they had approved a project which included the apartment zoning (DR 16).

Mr. William Bement, the developer's representative, testified that development with DR 5.5 or 10.5 zoning would not be feasible for such a project because of economy of scale limitations. He mentioned that Baltimore County and particularly the Turner Station area was in competition for HUD funds with other communities within the state. Although the 34 units allowed by DR 16 zoning would be small compared to most Federal housing projects, he noted that the project totally conforms to the County Council's direction to limit these projects to less than 50 units in a given location. Mr. James Hoswell, Planner for Baltimore County, also appeared for the Petitioner and expressed the support and approval of the Office of Planning and Zoning to grant this petition, citing the need for the housing and the special problems associated with disposing of surplus schools by the County. There was no opposition presented.

Exhibits

- Exhibit # 1 - Plat of Property - dated Sept 1, 1981  
Exhibit # 2 - Letter dated Dec. 7, 1980 to Honors Freeman - Project Notification Review  
Exhibit # 3 - County Council Resolution 104-80 - dated Dec. 15, 1980  
Exhibit # 4 - Comments of Director of Planning and Zoning (in file) dated Jan. 18, 1982  
Exhibit # 5 - Turner Station Site Plan - dated 12-15-81

Below exhibits returned to zoning with file

People Council -  
Exhibit # 1-A - photographs of site thru 1-L

Baltimore County, Md.  
R-82-162-A

After considering the testimony of the case, the Board will grant the Petitioner's request for reclassification to DR 16, finding that the County Council, in adopting its 1980 map failed to anticipate the zoning requirements for this project. In Case R-82-75, Petition of Samuel H. Shriver, the Board established the rule that error can be found not only because the County Council's zoning was confiscatory, but also because "the overwhelming weight of evidence indicates the County Council failed to accomplish on the Comprehensive Map, what they clearly would have done had the issue been presented to them". We find that had the County Administration presented the issue that an increase in density was required in order to make this project viable, the County Council surely would have done so in 1980. The Board believes that in zoning public property the Council likely relies on the County Administration to a large extent to inform it as to what is needed to assist the community to put an entire and viable project together, especially if the project is in competition with many other communities striving for limited Federal funds. In the heat of the County Administration's pursuit of Federal funds, they failed to notify the Council of the need to rezone the property and similarly, the County Council failed to foresee the Federal approval of the project. The Board finds sufficient basis that the Council inadvertently overlooked this issue on the 1980 maps. The passage by the County Council after the 1980 maps of the Resolution 104-80 completely confirms the Board's feelings that this is the case.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 28th day of January, 1982, by the County Board of Appeals, ORDERED that the reclassification from D.R. 5.5 to D.R. 16 petitioned for, be and the same is hereby GRANTED.



Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

John V. Murphy  
John V. Murphy, Acting Chairman

William T. Hackett  
William T. Hackett

Patricia Phipps  
Patricia Phipps

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1981, Legislative Day No. 22

RESOLUTION NO. 97-81

Mr. Ronald B. Hickernell, Councilman  
By Request of County Executive

By the County Council, November 16, 1981

A RESOLUTION to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Baltimore County, Maryland, owner and David R. Clark and Associates, Inc., contract purchaser, for the Turner Station Elementary School property, should be exempted from the regular cyclical procedure of Section 2-58.1 (c) through (h) inclusive of the Baltimore County Code, 1978, 1979 Cumulative Supplement, as amended.

WHEREAS, the Planning Board, by resolution dated November 5, 1981, has certified that early action on the Petition for Zoning Reclassification filed on behalf of David R. Clark and Associates, Inc., contract purchaser, requesting a reclassification of the Turner Station Elementary School property would be in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-58.1 (i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular, cycle procedures of Section 2-58.1; and

NOW THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland, that the certification by the Planning Board that early action on the Zoning Reclassification Petition filed on behalf of David R. Clark and Associates, Inc., be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-53.1 (i) of the Baltimore County Code.

IN THE MATTER OF THE APPLICATION OF BALTIMORE COUNTY, MD. (David Clark & Associates, Inc., Contract Purchaser) FOR VARIANCE FROM Section 1802.2A of the Baltimore County Zoning Regulations SW corner Chestnut and Pine Streets 12th District

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. R-82-162-A

OPINION

This petition comes before the Board as a request for a variance from Section 1802.2A of the Baltimore County Zoning Regulations to permit twenty-six (26) parking spaces for this proposed project instead of the fifty-one (51) parking spaces required under the above named section. The subject property is located on the southwest corner of Chestnut and Pine Streets, in the Twelfth Election District of Baltimore County.

This petition presents the Board with several very unique circumstances. This is a renovation of an abandoned school building into twelve (12) housing units, erected and orientated toward occupancy by elderly or handicapped persons, and on what now exists as the playground will be erected twenty-two (22) townhouse units. All of the above is to be accomplished under H.U.D. fund commitments. It must be emphasized that everyone in any way connected with this project enthusiastically supports it. The Baltimore County Council, all local residents and all local civic groups agree to the need for this project here in this location. Testimony presented to the Board was that the financing for this project would be withdrawn if any fewer units were proposed, this being the very minimum allowed. The problem before the Board is that for all normal developments of this nature one and one-half parking spaces per unit would be required, for a total of fifty-one spaces. Using the utmost engineering techniques possible only twenty-six spaces can be obtained. Petitioner presented basically two arguments to support granting the variance needed.

1. The north boundary of the property is Chestnut Street, a one-way street heading west with parking allowed on both sides but no off street parking available. The east property line abuts Pine Street, a two-way street with parking allowed on both sides but no off street parking. The south property line abuts Oak Street, a one-way

RE: PETITION FOR RECLASSIFICATION from D.R. 5.5 to D.R. 16 Zone SW corner Chestnut St. and Pine St., 12th District

\* BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

\* Item 69

BALTIMORE COUNTY, MARYLAND (Donald P. Hutchinson - County Executive), Petitioner

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Please enter the appearance of John B. Howard and Cook, Howard, Downes & Tracy as additional attorneys for Petitioner in this proceeding. You are requested to notify me of any hearing date or dates which may be or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

John B. Howard  
John B. Howard  
Cook, Howard, Downes & Tracy  
210 Allegheny Avenue  
Towson, Maryland 21204  
823-4111  
Attorney for Petitioner

I HEREBY CERTIFY that on this 5th day of January, 1982, a copy of the foregoing Order was mailed to Leonard S. Jacobson, Esq., Baltimore County Solicitor, Mezzanine, Court House, Towson, Maryland 21204; John W. Hession, III, Esq., People's Counsel for Baltimore County, Room 222, Court House, Towson, Maryland 21204; James D. Wright, Esq., Venable, Baetjer & Howard, Mercantile Bank & Trust Building, Hopkins Plaza, Baltimore, Maryland 21201, Attorney for Petitioner; and David Clark & Associates, Inc., 800 S. Broadway, Baltimore, Maryland 21231, Contract Purchaser.

John B. Howard  
John B. Howard

street heading east with parking on one side only but off street parking available to all property owners on the south side of Oak Street. Petitioner claims enough unused parking spaces available on these three streets to accommodate any overflow from the project.

2. This subsidized project should not be held in strict compliance with standard development projects from which the one and one-half spaces per unit is derived. Experience shows that elderly or handicapped residents do not normally need one and one-half spaces per unit; a more realistic figure is one space for each two units or six spaces total for the renovated school building. The remaining twenty-two units would be for lower income, subsidized rent, residents and a more realistic figure for these units would be only one space per unit or twenty-two spaces. Using these figures, twenty-eight spaces are needed and since twenty-six are provided only two cars would be parked on the street.

Based on these arguments, plus the total need for the project, the Petitioner asked that the parking variance be granted.

Mr. Michael Flanigan, Associate Traffic Engineer for Baltimore County, testified that granting this variance could cause parking problems and that twenty-six parking spaces simply were not enough. He also testified that he had no figures comparing the needs of residents in subsidized units and units for the elderly as far as parking spaces were concerned. He testified that it was normal practice for his office to oppose granting parking variances but after reviewing this petition, this request, if granted, would not create a major problem but would probably create an inconvenience to other residents.

After consideration of all the above testimony and evidence, the Board is of the opinion that to deny the requested variance would be arbitrary on our part. To deny the variance is in effect to deny the needed housing and renovation of the existing school building. The Board also accepts as a reasonable premise that elderly residents and subsidized residents will actually require fewer parking spaces than normally found in more

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS from D.R. 5.5 to D.R. 16 Zone SW corner Chestnut St. and Pine St., 12th District

OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND (Donald P. Hutchinson - County Executive), Petitioner

\* Item 69

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 16th day of December, 1981, a copy of the foregoing Order was mailed to James D. Wright, Esquire, Venable, Baetjer & Howard, Mercantile Bank & Trust Building, Hopkins Plaza, Baltimore, Maryland 21201, Attorney for Petitioner; David Clark & Associates, Inc., 800 S. Broadway, Baltimore, Maryland 21231, Contract Purchaser; and Leonard S. Jacobson, Esquire, Baltimore County Solicitor, Mezzanine, Court House, Towson, Maryland 21204.

John W. Hession, III  
John W. Hession, III

affluent developments. On street parking of some vehicles is a fact of life in today's society and even if the required number of spaces falls somewhere between the twenty-eight claimed by the Petitioner in Section 2 above, and the fifty-one optimum number required by the code, some parking on the three abutting streets can be accomplished.

The Board would also enter the following comments regarding this problem. Along the entire western property line there is planned, as required by law, a fifty foot wide dense planting of trees and shrubs up to six feet tall. This does not seem practical with today's crime rate to provide this cover adjacent to housing designed for elderly people. If this width were reduced to thirty feet, head in parking spaces provided and the screening reduced to two or three feet maximum height, both problems here could be easily solved. It is not, however, within the realm of this Board to so order, and it adds this comment merely to show that this was considered.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of March, 1982, by the County Board of Appeals, ORDERED that the requested variance to allow twenty-six (26) parking spaces instead of the required fifty-one (51) parking spaces petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

John V. Murphy  
John V. Murphy, Acting Chairman

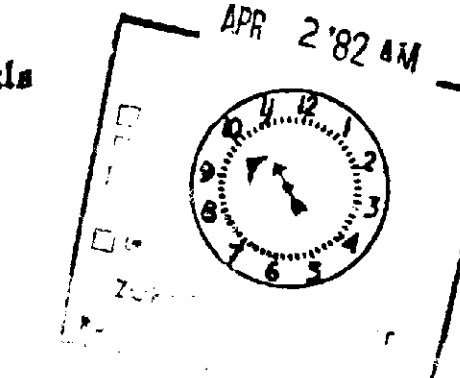
William T. Hackett  
William T. Hackett

Patricia Phipps  
Patricia Phipps

494-3180

28630  
4/2

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
March 31, 1982



John B. Howard, Esquire  
Cook, Howard, Downes & Tracy  
210 Allegheny Avenue  
Towson, Md. 21204

Re: Case No. R-82-162-A  
Baltimore County, Md.

Dear Mr. Howard:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart  
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Donald P. Hutchinson  
David Clark & Associates, Inc.  
James D. Wright, Esquire  
Donald D. Smith  
W. E. Hammond  
J. E. Dyer  
N. E. Gerber  
J. G. Howell  
John W. Hession, III, Esquire  
Board of Education



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

James Wright, Esquire  
Venable, Baetjer & Howard  
Mercantile Bank & Trust Building  
Hopkins Plaza  
Baltimore, Maryland 21201

RE: Petition for Reclassification and Variance  
SW/corner of Chestnut Street and Pine Street  
Baltimore County, Maryland - Petitioner  
Case #R-82-162-A

Dear Mr. Wright:

This is to advise you that \$62.15 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

WILLIAM E. HAMMOND  
Zoning Commissioner

WEEKLY

PETITION FOR RE-CLASSIFICATION and VARIANCE

12th DISTRICT

ZONING: Petition for Re-classification and Variance  
LOCATION: Southwest corner of Chestnut Street and Pine Street  
DATE & TIME: Tuesday, January 19, 1982, at 10:00 A.M.  
PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Petition for Re-classification from a D.R. 5.5 Zone to a D.R. 16 Zone; and Variance to permit 20 parking spaces in lieu of the required 51.

The Zoning Regulation to be excepted as follows:

Section 1B02.2A - Minimum required parking spaces in a D.R. 16 Zone

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Baltimore County, Maryland as shown on plat plan filed with the Zoning Department.  
Hearing Date: Tuesday, January 19, 1982, at 10:00 A.M.  
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF  
WILLIAM T. HACKETT, CHAIRMAN  
BOARD OF APPEALS OF BALTIMORE COUNTY

BALTIMORE COUNTY PLANNING BOARD

RESOLUTION

November 5, 1981

WHEREAS, Pursuant to Subsection 2-58.1(i) of the Baltimore County Code 1978 as amended, the Baltimore County Planning Board has reviewed the request by Baltimore County (Owner) and David Clark and Associates, Inc. (Contract Purchaser) to exempt from the zoning cycle the subject reclassification petition; and

WHEREAS, The Planning Board believes that early action is required on this petition to provide for a recognized County need and to ensure appropriate funding; now, therefore, be it

RESOLVED, That the Baltimore County Planning Board hereby certifies to the County Council of Baltimore County that early action on the subject Zoning Reclassification Petition would be in the public interest.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on

Date

William F. Kirwin, Chairman  
Baltimore County Planning Board

Reclassification of the referenced property is sought as a result of the following reasons and circumstances, all of which constitute a substantial and desired change within the existing community fabric:

- Property, which was previously occupied by the Baltimore County Board of Education, has been vacated due to building deficiencies rendering the structure inappropriate and untenable for educational use.
- Property has been excised by the Board of Education, and turned over to Baltimore County for alternate use.
- Baltimore County, in conjunction with the Turner Station Development Corporation, surveyed the community and identified a critical need for new and rehabilitated housing stock.
- A Community Development Block Grant Application prepared by the Baltimore County Office of Development, dated 3 December, 1979, identifies that Turner Station contains "less than ten (10) percent...in vacant developable land parcels. The lack of area suitable for new housing...has limited the number of housing opportunities available...." In addition, "...many homes...are occupied by elderly persons living alone or with a spouse. As a result...the Turner Station population has declined from 5,120 to 4,115, a decrease of 19.6 percent. Community leaders are convinced that...it is critically important to provide an opportunity for young households to return to the community." "...It is anticipated that eventually, the housing will be constructed to accommodate seniors residing in the Turner Station NDS...."
- Federal funds are available to achieve the identified community goals.

Therefore, in order to maximize potential development on land available, it is both desirable and necessary to increase the density for this project. The increased density on the proposed site will generate the ability to create a viable economic development.

TO: Ms. Honora M. Proulx  
Assistant to County  
Administrative Officer  
Mezzanine, Old Court House  
Towson, Maryland 21204

SUBJECT: PROJECT NOTIFICATION REVIEW

Applicant: Mercantile Mortgage Corp.

Project: Turners Station Apts. - Mortgage Ins./Section

R & R File No.: 80-471

Comments Should be Returned By: 12/16/80

Check One

- ☐ This agency has no comments on this particular project.
- ☒ This project is consistent with or contributes to the fulfillment of local comprehensive plans, goals and objectives.
- ☐ This project raises issues concerning incompatibility with local plans or intergovernmental problems and a meeting with the applicant is requested (Specify below).
- ☐ This project raises issues concerning incompatibility with local plans or intergovernmental problems, however, a meeting with the applicant is not requested (Specify below).
- ☐ This project is generally consistent with local plans, but qualifying comments are necessary (Specify below).

Comments: *This project is very much needed. In this area project is same owner we have been working toward for 3 years.*

RETURN TO LOCAL REFERRAL COORDINATOR  
NAME AND

Signature:   
Title: *County Councilman*  
Agency: *Baltimore Co. Ind.*

*Pet. Entry #2*

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204

Feb. 2, 1982

NOTICE OF ASSIGNMENT  
(CONTINUED HEARING)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

CASE NO. R-82-162-A BALTIMORE COUNTY, MD.  
SW corner Chestnut & Pine Sts.  
12th District  
Variance from Sec. 1B02.2A to permit 20 parking spaces in lieu of the required 51.

ASSIGNED FOR: THURSDAY, FEBRUARY 25, 1982, at 10 a.m.

cc: Donald P. Hutchinson, County Executive  
David Clark & Assoc. Inc. Contract Purchaser  
James D. Wright, Esq. Counsel for Contract Purchaser  
Donald D. Smith, AIA, Pres.  
John B. Howard, Esq. Counsel for Petitioner  
Mr. W. Hammond  
Mr. J. Dyer  
Mr. N. Gerber  
Mr. J. Hoswell  
Bd. of Education  
June Halmen, Secy.

2/2/82-Notified the following of hearing set for Thurs., Feb. 25, 1982, at 10 a.m.:

Donald P. Hutchinson  
David Clark & Assoc. Inc.  
James D. Wright, Esq.  
Donald D. Smith  
J. B. Howard, Esq.  
W. Hammond  
J. Dyer  
N. Gerber  
J. Hoswell  
Bd. of Education

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
January 23, 1982

John B. Howard, Esq.  
Cook, Howard, Dawnes & Tracy  
210 Allagheny Avenue  
Towson, Md. 21204

Re: R-82-162-A  
Baltimore County, Md.  
Dear Mr. Howard:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Halmen, Secretary

Encl.  
cc: Donald P. Hutchinson  
David Clark & Assoc., Inc.  
James D. Wright, Esq.  
Donald D. Smith  
W. E. Hammond  
J. E. Dyer  
N. E. Gerber  
J. Hoswell  
Bd. of Education



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Mr. William T. Hackett, Chairman  
To: County Board of Appeals  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
Zoning Petition No. R-82-162-A  
SUBJECT: Baltimore County/David Clark & Assoc., Inc. Property  
S/W Corner of Chestnut Street and Pine Avenue

Date: January 18, 1982

This office recommends the granting of the subject petition. In the Turners Station area, there is a significant need for additional housing opportunities; further, there are few, if any, available developable sites. This property, the former Turners Station Elementary School property, has been declared to be surplus property by Baltimore County. It is this office's opinion that renovation of the existing structure and the construction of additional comparable residential structures is the appropriate and economically feasible method for reuse of the site. Further, such development would not only be desirable in the production of needed housing for the area but would also restore the property to the tax rolls.

Norman E. Gerber  
Director of Planning and Zoning

NEG:JGH:dme



County Council of Baltimore County  
Court House, Towson, Maryland 21204  
(301) 491-3196

November 17, 1981

## COUNCIL

Ronald B. Hickernell  
1st DISTRICT CHAIRMAN

Gary Huddles  
2nd DISTRICT

James T. Smith, Jr.  
3rd DISTRICT

Barbara F. Bucher  
4th DISTRICT

Norman W. Laxentien  
5th DISTRICT

Ernest W. Gallagher  
6th DISTRICT

John W. O'Rourke  
7th DISTRICT

Thomas Toporovich  
Secretary

Mr. William T. Hackett, Chairman  
Baltimore County Board of Appeals  
Court House  
Towson, Maryland 21204

Dear Mr. Hackett:

At their meeting on November 16, 1981, the Baltimore County Council approved the attached Resolution No. 97-31 to certify that early action is manifestly required in the public interest on the petition of David R. Clark and Associates, Inc. to be heard out of the regular zoning cycle.

This resolution is forwarded for your information and appropriate action.

Sincerely yours,

Thomas Toporovich  
Secretary

TT:b1

Enc: 1

CC: Norman E. Gerber  
William F. Kirwin

Description to Accompany  
a Zoning Petition  
Containing 1.954 Acres of land more or less.

September 3, 1981

Beginning for the same on the southernmost side of Chestnut Street, 50 feet wide at the intersection of the westernmost side of Pine Street, 45 feet wide, thence from said place of beginning, binding on said side of Pine Street, (1) South 28°23' East 250.00 feet to the northernmost side of Oak Street, 40 feet wide; thence binding thereon (2) South 75°01' West 350.00 feet, thence leaving said street (3) North 28°23' West 250.00 feet, binding for a part on the existing Zoning Line between D.R. 10.5 zone and D.R. 5.5 zone, to intersect the aforementioned side of Chestnut Street, thence binding thereon (4) North 75°01' East 350.00 feet to the place of beginning.

Containing 1.954 acres of land more or less.

James M. Zepher Jr.  
Chairman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

January 13, 1982

James Wright, Esquire  
Venable, Baetjer & Howard  
Mercantile Bank & Trust Building  
Hopkins Plaza  
Baltimore, Maryland 21201

RE: Petition for Reclassification and Variance  
SW Corner of Chestnut Street and Pine Street  
Baltimore County, Maryland - Petitioner  
Case #R-82-162-A

Dear Mr. Wright:

This is to advise you that \$62.15 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond  
Zoning Commissioner

No. 104526

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 1/25/82 ACCOUNT: 01-662

AMOUNT: \$62.15

RECEIVED: Venable, Baetjer & Howard  
FOR: Posting & Advertising of Case #R-82-162-A  
(Baltimore County, Maryland)

62.15

VALIDATION OR SIGNATURE OF CASHIER

## CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

38 N. Dundalk Ave.  
Dundalk, Md. 21222 Jan. 11, 1982

THIS IS TO CERTIFY, that the annexed advertisement of William Hackett, ch. Bd Appeals Balto County in matter of zoning petition of Baltimore County was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once ~~successive~~ successive weeks before the

1st day of January, 1982; that is to say, the same was inserted in the issues of

December 31, 1981

Kimbel Publication, Inc.

Publisher.

By: Kimbel P. Olke

## CERTIFICATE OF PUBLICATION

TOWSON, MD. January 11, 1982

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once~~ successive days of ~~January~~ January, 1982, the first publication appearing on the ~~21st~~ 21st day of ~~December~~ December, 1981.

THE JEFFERSONIAN  
Manager.

Cost of Advertisement, \$

## CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

38 N. Dundalk Ave.  
Dundalk, Md. 21222 Jan. 11, 1982

THIS IS TO CERTIFY, that the annexed advertisement of William Hackett, ch. Bd Appeals Balto County in matter of zoning petition of Baltimore County was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once ~~successive~~ successive weeks before the

1st day of January, 1982; that is to say, the same was inserted in the issues of

December 31, 1981

Kimbel Publication, Inc.

Publisher.

By: Kimbel P. Olke

Mr. Norman E. Gerber  
Director of Planning and Zoning  
Baltimore County Courts Building  
401 Rosley Avenue  
Towson, Maryland  
21204

October 15, 1981

Dear Mr. Gerber:

David Clark & Associates Inc. is currently involved in a joint venture proposal with the Turner Station Development Corporation to acquire the Turner Station Elementary School from Baltimore County. The purpose of our project is to renovate the school for housing (suitable for elderly families), and to construct new housing units on the adjacent land, a total of 39 new housing units. Application has been processed by HUD for mortgage guarantees and assistance allocations, and has been approved for funding. However, the approval is conditioned upon rezoning of the property for 39 units within 90 days.

In order for the proposed project to proceed in a timely fashion it is necessary for a zoning change to be approved for the property. A petition for reclassification was filed with the County Board of Appeals on September 24, 1981.

This proposed project is desired by the community. However, the normal time required to process a petition for reclassification within the current cycle will seriously jeopardize the fund availability and commitment for this project. Insofar as the timing delays inherent in zoning reclassification constitute an emergency situation, we request that you assist this project by expediting the zoning petition for this property out of the normal cycle.

We are at your disposal and would welcome the opportunity to meet with you or your staff to review our plans for this project. Thank you for your support and cooperation.

Sincerely yours,

W. MARTIN BEMENT  
For David Clark & Associates Inc.

c.c. Mr. William Kirwin  
Councilman John W. O'Rourke

DUNDAR BROOKS  
For The Turner Station Development Corporation

Petition for Re-Classification  
And Variance

12th DISTRICT

LOCATION: Southwest corner of Chestnut Street and Pine Street

DATE: AND TIME: Tuesday, January 19, 1982 at 10:00 A.M.

PUBLIC HEARING: Room 218, Court House, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing on the petition for reclassification from a D.R. 5.5 zone to a D.R. 10.5 zone and variance to permit 20 parking spaces in lieu of the required 51.

The zoning "R" to be accepted as follows:

Section 1802A - Minimum required parking spaces in a D.R. 10.5 zone.

No that parcel of land in the Twelfth District of Baltimore County, beginning at the intersection of the westernmost side of Chestnut Street, 50 feet wide at the intersection of the westernmost side of Pine Street, 45 feet wide, thence from said place of beginning, binding on said side of Pine Street, (1) South 28°23' East 250.00 feet to the northernmost side of Oak Street, 40 feet wide, thence binding thereon (2) South 75°01' West 350.00 feet, thence leaving said street (3) North 28°23' West 250.00 feet, binding for a part on the existing Zoning Line between D.R. 10.5 zone and D.R. 5.5 zone, to intersect the aforementioned side of Chestnut Street, thence binding thereon (4) North 75°01' East 350.00 feet to the place of beginning, containing 1.954 acres of land more or less.

Being the property of Baltimore County, Maryland as shown on plat filed with the Zoning Department.

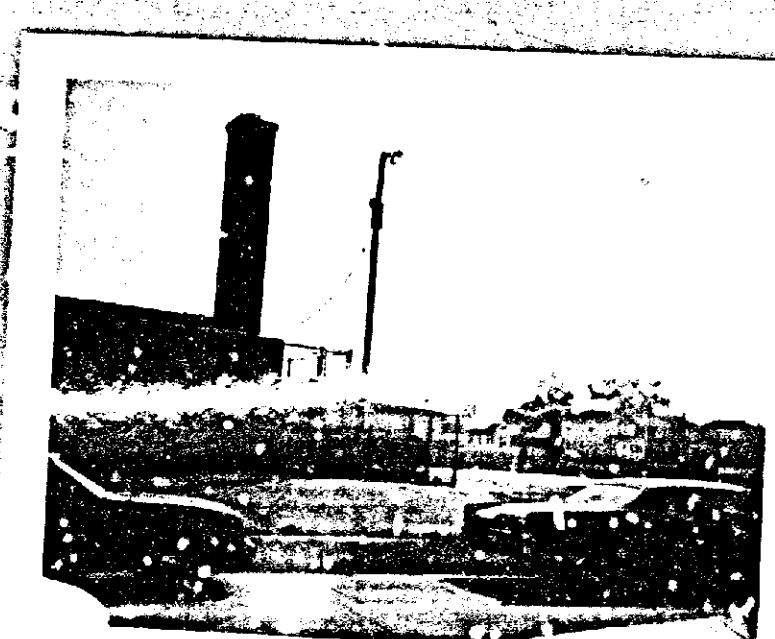
Hearing Date: Tuesday, January 19, 1982 at 10:00 A.M.

Public Hearing: Room 218, Court House, Towson, Maryland

BY ORDER OF

WILLIAM T. HACKETT, CHAIRMAN

BOARD OF APPEALS OF BALTIMORE COUNTY

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, MarylandDistrict: 12 Date of Posting: 11/1/82Posted for: William T. Hackett, ChairmanPetitioner: Baltimore CountyLocation of property: SW Corner of Chestnut Street and Pine AvenueLocation of Signs: Posting at intersection of Chestnut & PineRemarks: Posting at intersection of Chestnut & PinePosted by: William T. Hackett Date of return: 1/1/82Signature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. HackettSignature: William T. Hackett

## PETITION FOR RE-CLASSIFICATION AND VARIANCE

12th DISTRICT

LOCATION: Southwest corner of Chestnut Street and Pine Street

DATE &amp; TIME: Tuesday, January 19, 1982 at 10:00 A.M.

PUBLIC HEARING: Room 218, Court House, Towson, Maryland

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Being the property of Baltimore County, Maryland as shown on plat filed with the Zoning Department.

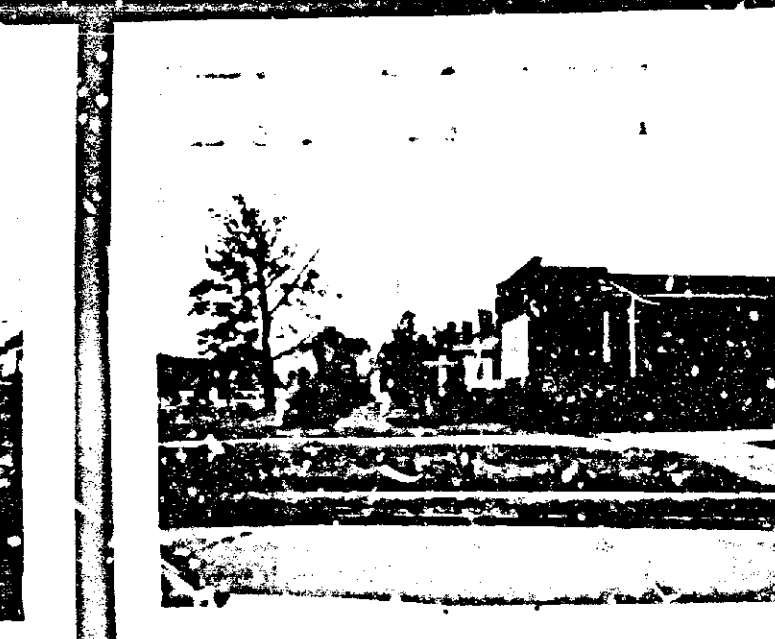
Hearing Date: Tuesday, January 19, 1982 at 10:00 A.M.

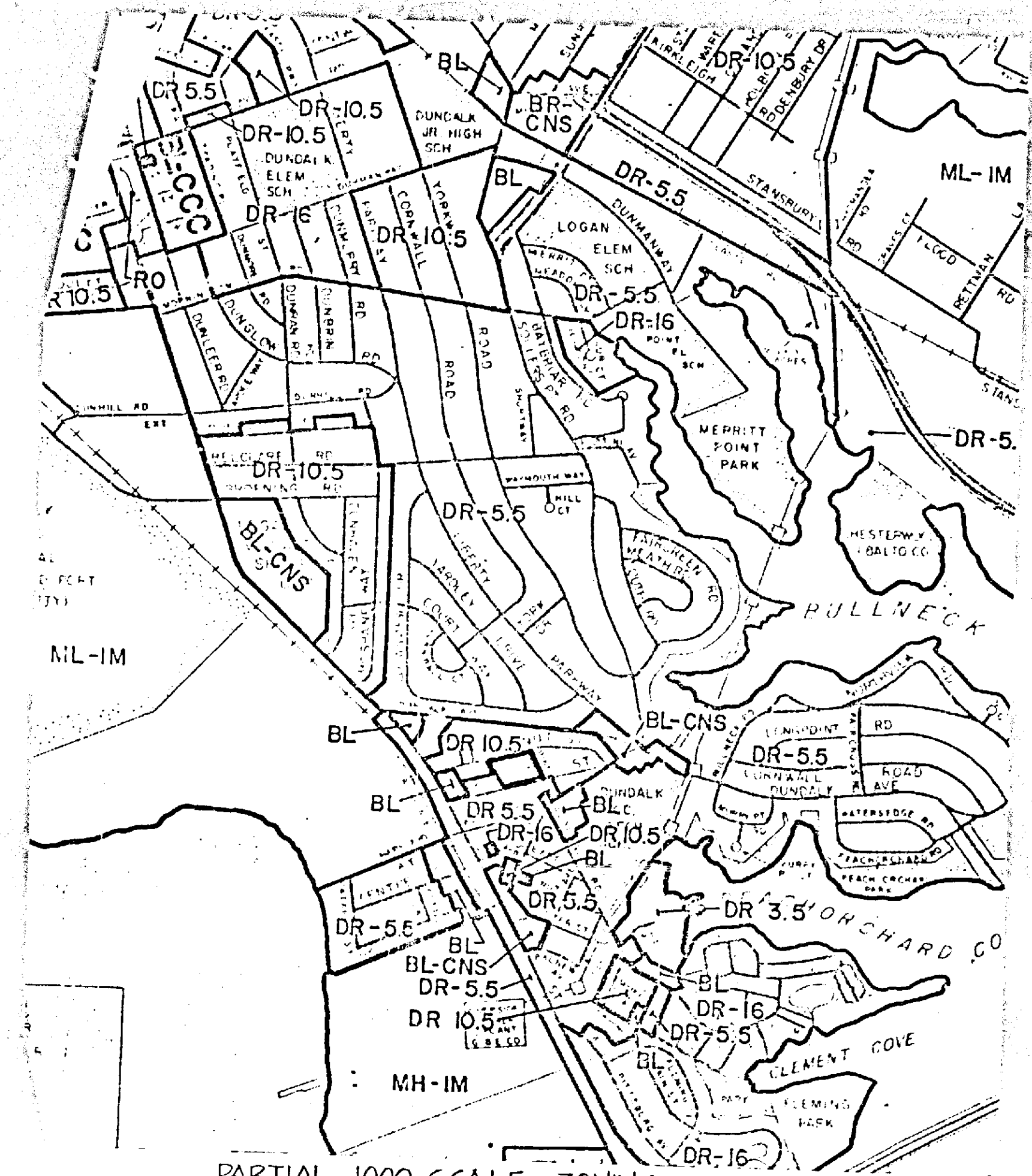
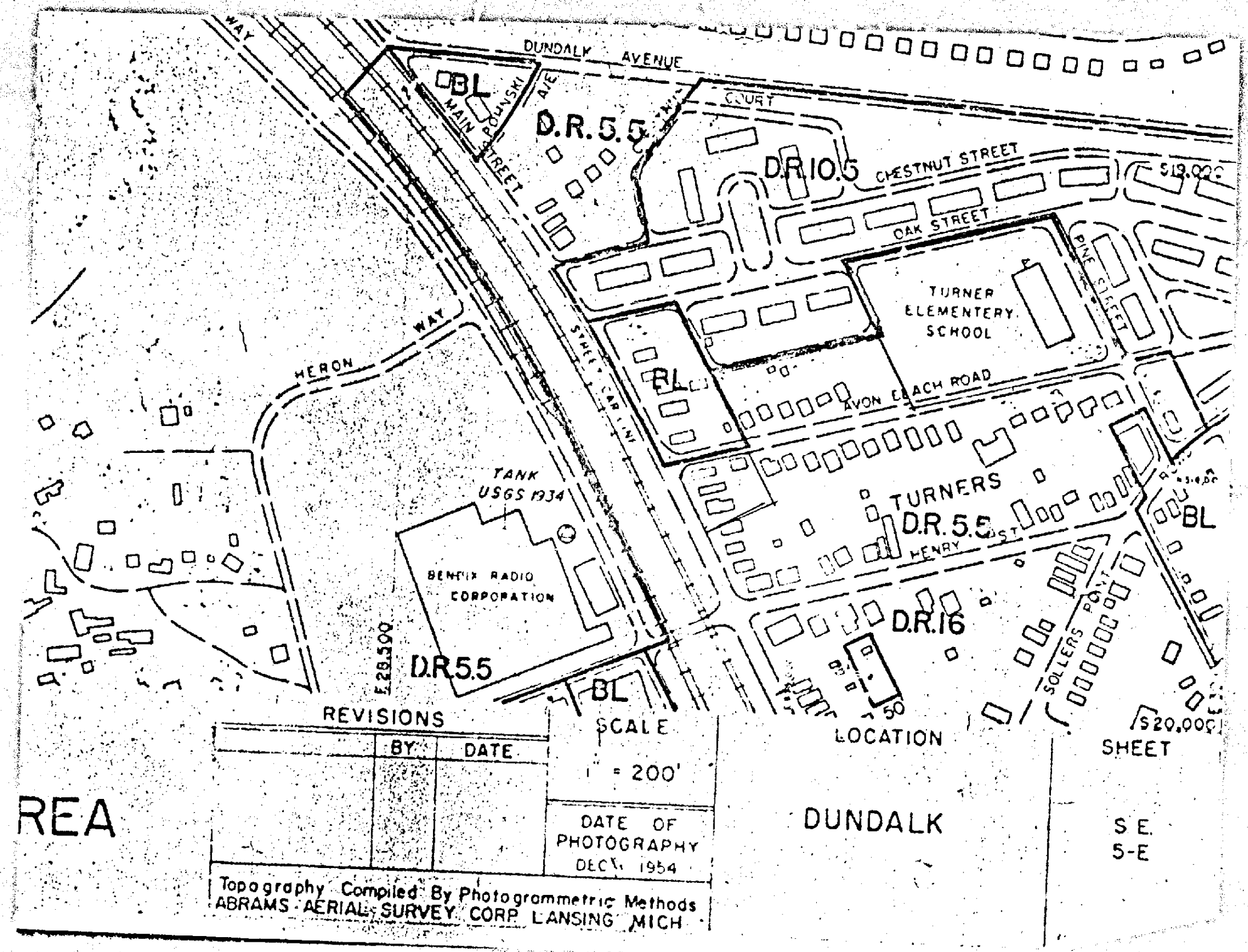
Public Hearing: Room 218, Court House, Towson, Maryland

BY ORDER OF

WILLIAM T. HACKETT, CHAIRMAN

BOARD OF APPEALS OF BALTIMORE COUNTY





**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 24 day of Sept., 1981.\*

Filing Fee \$ 50 Received: 50 Check    Cash    Other   

#69

William E. Hammond  
William E. Hammond, Zoning Commissioner

**No. 102684** i by Dan Smith  
Reviewed by     
the Petition for assignment of a

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

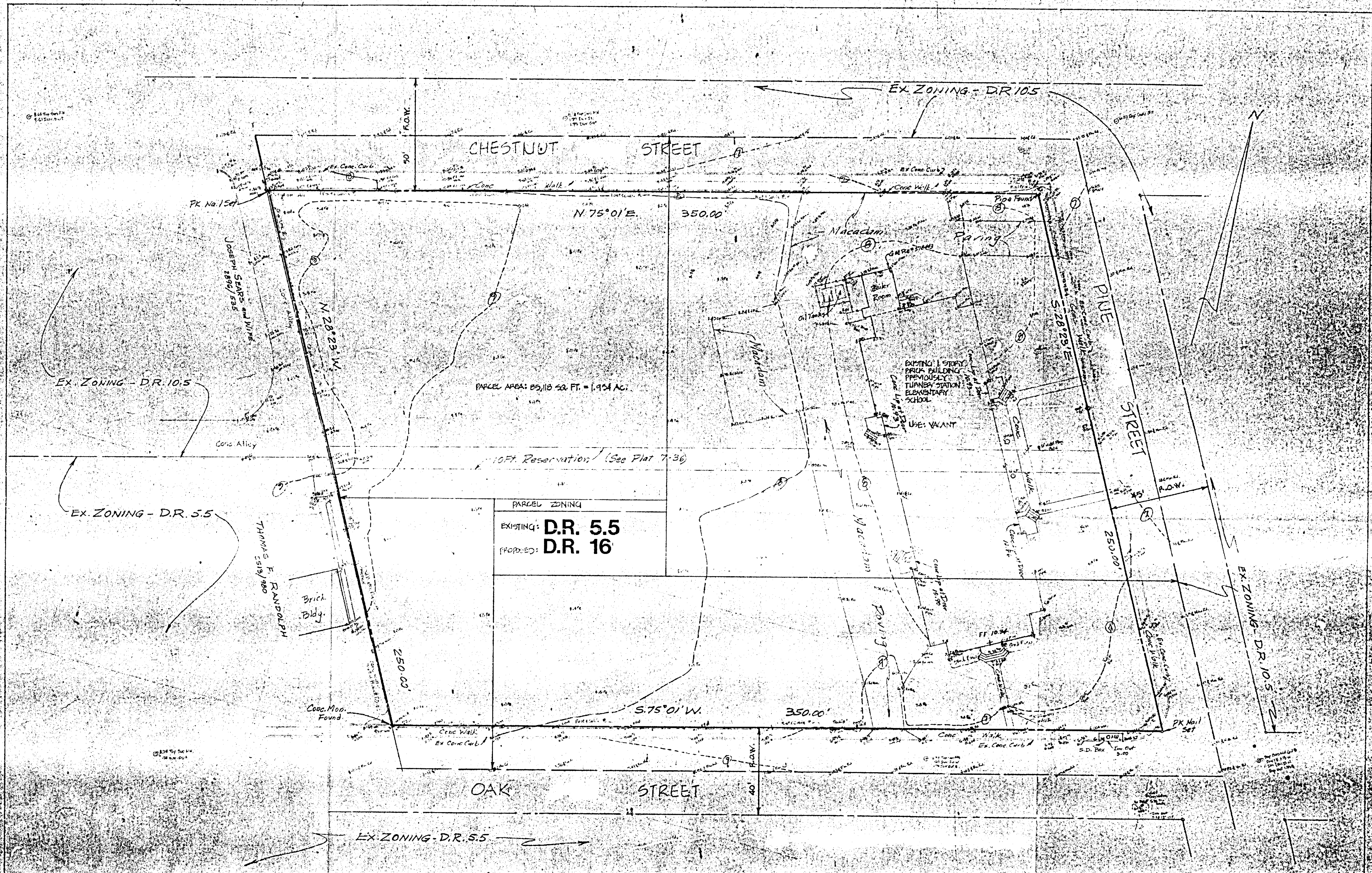
DATE 12/22/81 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM Lapicki/Smith Associates  
FOR Filing Fee for Case #R-82-162-A (Baltimore County)

VALIDATION OR SIGNATURE OF CASHIER



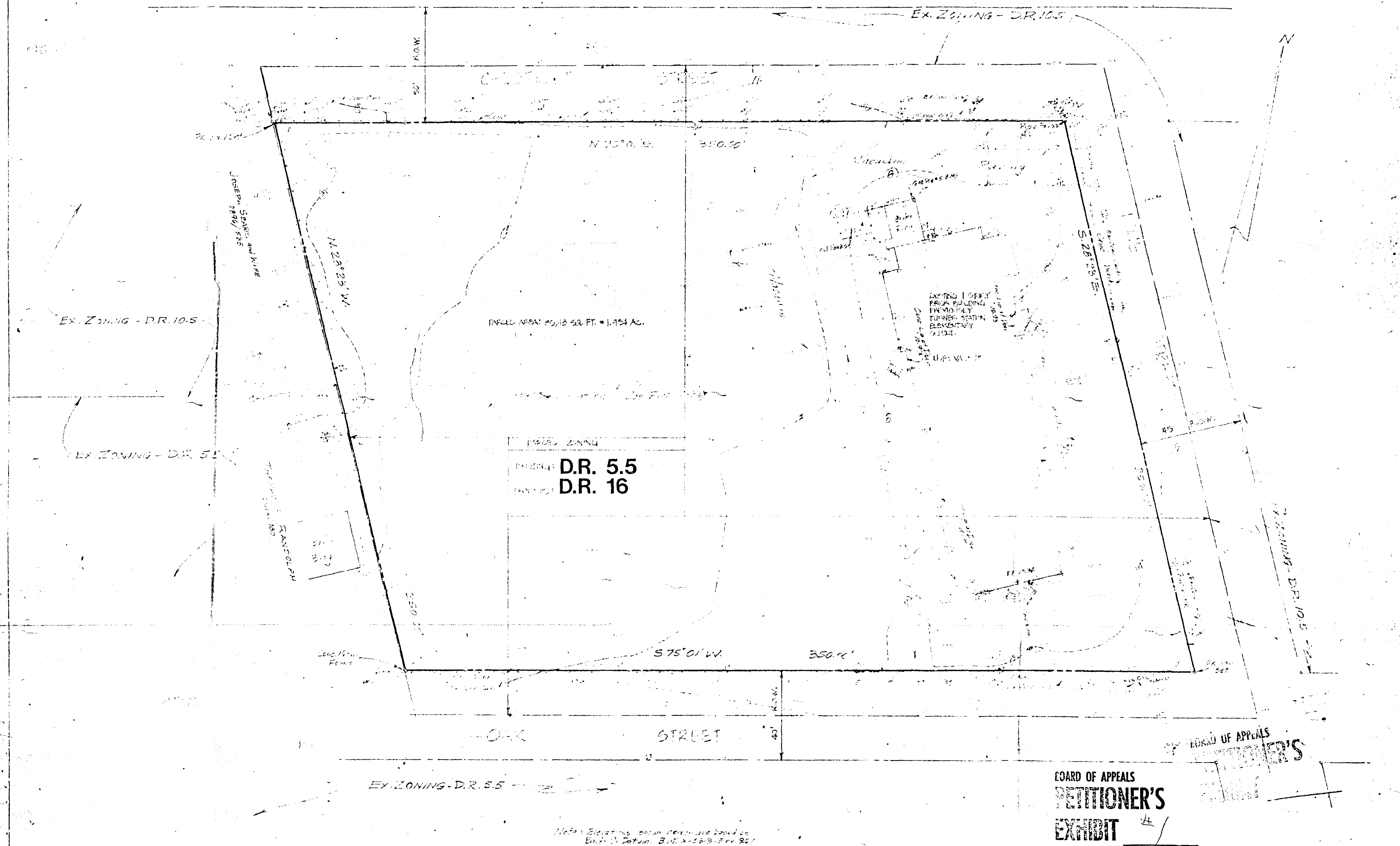


Note: Elevations shown hereon are based on Balto. Co. Datum, B.M. X-5812 - Elev. 247'

<p>ENGINEER &amp; SURVEYOR:</p> <p>GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. ENGINEERS &amp; LAND SURVEYORS 303 ALLEGHENY AVE. TOWSON, MARYLAND 21204</p>	<p>SURVEYOR'S SEAL:</p>	<p>ARCHITECT:</p> <p><b>lapicki/smith associates p.a.</b> 617 Park Avenue Baltimore, Maryland 21201 Tel. 552-4200</p>	<p>PLAT TO ACCOMPANY APPLICATION FOR ZONING RECLASSIFICATION AND VARIANCES IN TURNERS STATION ELECTION DISTRICT 12 BALTIMORE COUNTY, MARYLAND COUNCILMANIC DISTRICT NO. 7 BY DAVID S. CLARK AND ASSOCIATES WITH TURNERS STATION DEVELOPMENT CORPORATION INC.</p>	<p>ITEM #49</p> <p>SCALE: 1"=20'</p> <p><b>SP-1</b></p> <p>SEPTEMBER 1, 1981</p>
---	-------------------------	---	--	--



Petitioner: Ex # 2.



BOARD OF APPEALS  
PETITIONER'S  
EXHIBIT *4*

ENGINEER & SURVEYOR

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.  
ENGINEERS & LAND SURVEYORS  
303 ALLEGHENY AVE  
TOWSON, MARYLAND 21204

lapicki/smith associates p.a.

PLAT TO ACCOMPANY  
APPLICATION FOR ZONING RECLASSIFICATION AND VARIANCES  
IN  
TURNERS STATION ELECTION DISTRICT 12 BALTIMORE COUNTY, MARYLAND  
COUNCILMAN DISTRICT NO. 7  
BY  
DAVID B. CLARK AND ASSOCIATES, WITH TURNERS STATION DEVELOPMENT CORPORATION, INC.

SP. 1



ZONING CASE #R-82-162-A  
 HEARING DATE JAN. 19, 1982

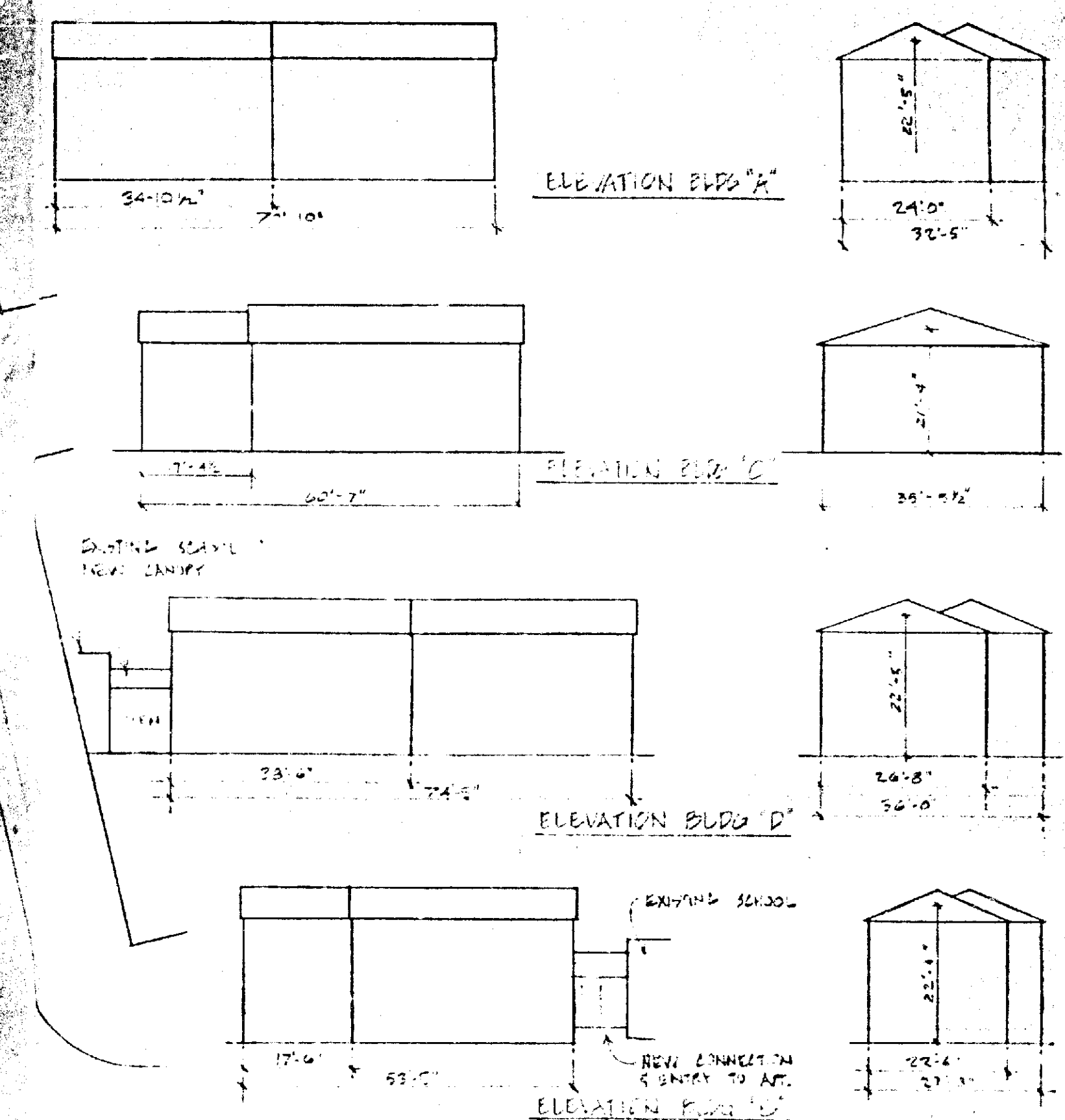
BASIC SITE AREA - 85,116.5 SF. (1.954 ACRES)  
 AREA OF DENSITY ZONE - 107,532.3 SF. (2.47 ACRES)  
 (2 OF SURROUNDING STREETS)  
 DENSITY UNITS PERMITTED UPON RECLASSIFICATION - 39.5 RU.  
 (2.47 AC X 16 = 39.5 DENSITY UNITS)

DENSITY PROPOSED

UNIT TYPE	QUANTITY	DENSITY UNITS
1 BR	10	7.5
1 BR HL.	2	1.5
2 BR	18	18.0
3 BR	2	3.0
3 BR HL.	2	3.0
<b>TOTAL</b>	<b>34</b>	<b>33.0</b>

PARKING REQUIRED - 153 X 33 = 50.5 SPACES  
 PARKING PROVIDED - 0.818 X 33 = 27 SPACES

AMENITY OPEN SPACE (INCLUDING BUFFER STRIP) - 31% ±  
 (EXCLUDING BUFFER STRIP) - 16% ±



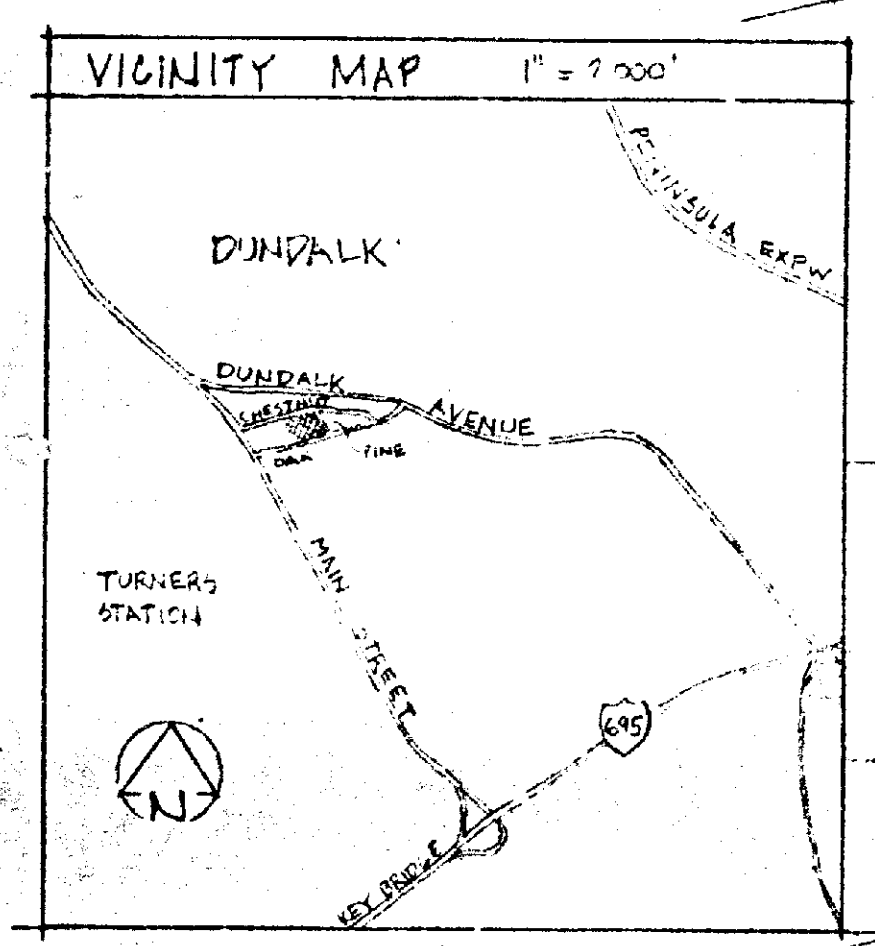
CHESTNUT STREET (75' SETBACK DOES NOT APPLY ON A PUBLIC STREET)

PINE STREET

OAK STREET (75' SETBACK DOES NOT APPLY ON A PUBLIC STREET)

BUFFER ZONE PLANTING

QUANTITY	PER METER = 200
CONIFEROUS - 140 (70%)	
DESIDUOUS - 20 (10%)	
SHRUBS - 40 (20%)	
<b>TOTALS</b>	<b>200 (100%)</b>



OPEN SPACE REQUIRED - 15% - ACREAGE - 12,767.5 SF.  
 OPEN SPACE PROVIDED - 0 SF.  
 REQUEST FOR OPEN SPACE WAIVER WILL BE MADE.  
 REQUEST FOR STORM WATER MANAGEMENT WAIVER WILL BE MADE.

BOARD OF APPEALS  
 PETITIONER'S  
 EXHIBIT 5

TURNER STATION  
 SITE PLAN  
 BALTIMORE COUNTY  
 SCALE 1" = 20'-0"  
 MARYLAND 12/28/81

lapicki/smith associates p.a.  
 Pet Ex #5